

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW DRISKEL, et al.,	)	No. C 06-2354 MMC (PR)
	)	
Plaintiffs,	)	<b>ORDER OF DISMISSAL</b>
	)	
v.	)	
	)	
AMERICAN CORPORATE STRUCTURE,	)	(Docket No. 3)
et al.,	)	
	)	
Defendants.	)	

Plaintiff, a California prisoner proceeding pro se, filed the above-titled civil rights action on April 4, 2006. Now before the Court is plaintiff's request, filed April 21, 2006, for voluntary dismissal of the action. A plaintiff has an absolute right to dismiss his or her action by filing a notice of dismissal "at any time before service by the adverse party of an answer or of a motion for summary judgment." See Fed. R. Civ. P. 41(a)(1)(i). To date, defendants have not filed an answer or otherwise responded to the complaint.

Accordingly, plaintiff's request for voluntary dismissal is GRANTED and the above-titled action is hereby DISMISSED.

In light of the dismissal, the deficiency notice regarding the filing fee is VACATED as moot, and no fee is due.

This order terminates Docket No. 3.

The Clerk shall close the file.

IT IS SO ORDERED.

DATED: April 26, 2006

  
MAXINE M. CHESNEY  
United States District Judge